

Appl. No. : 09/847,759
Filed : May 2, 2001

AMENDMENTS TO THE CLAIMS

20. A rack comprising:

a support assembly having a forward portion and a rearward portion and being configured to support a plurality of beverage containers;

a first pair of support legs having lower ends connected to the forward portion;
and

a second pair of support legs having lower ends connected to the rearward portion,
each of the first and second pairs of support legs having upper ends configured to hang the rack from a shelf disposed above the rack;

a spacing defined between the upper ends of the second pair of support legs and the rearward portion of the support assembly sized so as to allow beverage containers to be inserted between a rear portion of the shelf and the rearward portion of the support assembly;

a stop disposed at the forward portion of the support assembly, the stop including a panel configured to support a label;

wherein the first and second pairs of support legs are sized such that the forward portion hangs lower than the rearward portion when the rack is hanging, by the upper ends of the first and second pairs of the support legs, from a horizontal shelf.

26. The rack according to Claim 20, wherein the stop is spaced forwardly from the first pair of support legs.

Please add new Claims 63-67 as follows:

63. A rack comprising:

a support assembly having a forward portion and a rearward portion and being configured to support a plurality of beverage containers;

a first pair of support legs having lower ends connected to the forward portion;

a second pair of support legs having lower ends connected to the rearward portion,
each of the first and second pairs of support legs having upper ends configured to hang the rack from a shelf disposed above the rack;

Appl. No. : 09/847,759
Filed : May 2, 2001

a first spacing defined between the upper ends of the first pair of support legs and the forward portion of the support assembly sized so as to allow beverage containers to pass between a forward portion of the shelf and the portion of the support assembly;

a second spacing defined between the upper ends of the second pair of support legs and the rearward portion of the support assembly sized so as to allow beverage containers to be inserted between a rear portion of the shelf and the rearward portion of the support assembly;

a stop disposed at the forward portion of the support assembly; and

wherein the first and second pairs of support legs are sized such that the forward portion hangs lower than the rearward portion when the rack is hanging, by the upper ends of the first and second pairs of the support legs, from a horizontal shelf.

64. The rack of Claim 63, wherein the stop is configured to support a label.

65. The rack of Claim 64, wherein the stop comprises a curved panel.

66. The rack of Claim 63, wherein the upper ends of the first and second pairs of support legs include apertures.

67. The rack of Claim 63, wherein a rod member connects the upper ends of the first pair of support legs.

Appl. No. : 09/847,759
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COMMENTS

Claims 1-20, 22-24, 26-37, 39, 49-53, and 56-67 are now pending in the present application, Claims 20 and 26 having amended and new Claims 63-67 having been added. The Claims set forth above include marking showing changes made to the original patent.

Claim 26 Fully Comply With 35 U.S.C. § 112, 2nd Paragraph

Claim 26 stands rejected under 35 U.S.C. §112 2nd Paragraph as being indefinite, based on its dependency from canceled Claim 25. In response, Applicant has amended Claim 26 to depend from Claim 20.

Applicant has also amended Claim 20 to remove a minor typographical error. In particular, in the previous version of Claim 20, line 9 (see Amendment filed February 21, 2003, page 6), the phrase "a spacing defined between the upper ends **of the of the** second pair" was recited. Applicant has amended Claim 20 to remove the double recitation of the words "of the".

New Claims 63-67 Are Fully Supported By The Original Specification

Applicant has added new Claims 63-67. Applicant submits that no new matter has been introduced.

With respect to new Claims 63 and 64, Applicant respectfully directs the Examiner to Column 2, lines 57-64, Column 3, lines 3-6, Column 4, lines 5-10, and Column 5, lines 27-32. Additionally, Applicant notes that the previously identified support for Claim 20 also applies to new Claim 63.

With respect to Claim 65, Applicant respectfully directs the Examiner to col. 4, lines 15-16.

With respect to Claim 66, Applicant respectfully directs the Examiner to col. 2, lines 62-64.

With respect to Claim 67, Applicant respectfully directs the Examiner to col. 4, lines 52-54, and in particular, the reference to rod 10a.

Accordingly, Applicant has set forth an explanation of the support in the disclosure for the new claims, in accordance with 37 C.F.R. § 1.173(c). Additionally, Applicant submits that the new claims clearly and non-obviously define over the prior art.

Appl. No. : 09/847,759
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CONCLUSION

The undersigned has made a good faith effort to respond to all of the Examiner's requests in the case and thus is in condition for allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Respectfully submitted,

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